

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Alan A. DAVIS et al.  
Application No.: 09/457,421 Group Art No.: 1648  
Filed: December 7, 1999 Examiner: LE, Emily M.  
For: RECOMBINANT ADENOVIRUS VACCINES  
Confirmation No.: 7663  
Customer Number: 25291

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed July 17, 2007.

1. REQUEST FOR ORAL HEARING

An oral hearing is respectfully requested. Pursuant to 37 CFR 41.20(b)(3), the fee is \$1,000.00.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 41.20(b)(1), the fee for filing the Notice of Appeal is \$510.00. However, applicant previously paid notice of appeal and appeal brief fee of \$500.00, therefore, the current fee due is the difference of the increase in the amount of \$10.00.

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a)  Applicant petitions for an extension of time for the total number of months checked below.

<input type="checkbox"/>	One Month.	Fee in the amount of	\$	120.00
<input type="checkbox"/>	Two Months.	Fee in the amount of	\$	460.00
<input checked="" type="checkbox"/>	Three Months.	Fee in the amount of	\$	1,050.00
<input type="checkbox"/>	Four Months.	Fee in the amount of	\$	1,640.00
<input type="checkbox"/>	Five Months.	Fee in the amount of	\$	2,230.00

If an additional extension of time is required, please consider this a petition therefore.

**(Check and complete the next item, if applicable)**

An extension for months has already been secured and the fee paid therefore of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$0.00

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that

applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$10.00
Extension fee (if any)	1,050.00
Oral Hearing fee	0.00
<b>TOTAL FEE DUE</b>	<b>\$1,060.00</b>

5. FEE PAYMENT

Charge fee to Deposit Account No. 01-1425.

If any additional extension and/or fee is required, charge Account No. 01-1425.



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